

SAL2010R00577

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

LUIS ANDRES FAIFE-RUIZ

Hon. 

Criminal No. 10- 712

18 U.S.C. §§ 371 and 2315

INDICTMENT

The Grand Jury in and for the District of New Jersey, sitting at Newark, charges:

COUNT ONE
(Conspiracy to Receive and Sell Stolen Property)

Background

1. At all times relevant to this Indictment:

a. On or about July 9, 2009, a tractor trailer load of Sanofi-aventis U.S. (hereinafter "Sanofi") pharmaceutical drugs (hereinafter the "Sanofi Load") was stolen from a truck stop in Georgia. The shipment originated in Georgia and was destined for Tennessee. The shipment, which had an estimated wholesale value of \$8.8 million, contained the following pharmaceutical drugs: Xyzal, Nasacort AQ, Benzaclin Gel, and Lovenox.

The Conspiracy

2. From in or about July 2009 through in or about October 2009, in the District of New Jersey, and elsewhere, defendant

LUIS ANDRES FAIFE-RUIZ

did knowingly and intentionally conspire and agree with Cesar Pereira, David Topaz, R.S., A.R.P., A.F., A.B.F. and others to commit an offense against the United States, namely, to receive, possess, conceal, store, barter, sell, and dispose of goods, wares, merchandise and securities having a value of \$5,000 or more, which had crossed a State boundary after being

stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken, contrary to Title 18, United States Code, Section 2315.

Object of the Conspiracy

3. It was the object of the conspiracy for defendant LUIS ANDRES FAIFE-RUIZ and his coconspirators to receive stolen goods, including pharmaceutical drugs, and to profit from the illicit sale of those stolen goods.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that defendant LUIS ANDRES FAIFE-RUIZ and his coconspirators received stolen goods, including pharmaceutical drugs, which had traveled in interstate commerce after having been stolen.

5. It was further part of the conspiracy that defendant LUIS ANDRES FAIFE-RUIZ and his coconspirators would sell the stolen goods and profit thereby, making over a million dollars through their illicit sales.

Overt Acts

6. In furtherance of the conspiracy and in order to effect the object thereof, defendant LUIS ANDRES FAIFE-RUIZ and his coconspirators committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

a. In or about October 2009, defendant LUIS ANDRES FAIFE-RUIZ, Cesar Pereira and A.R.P. negotiated through David Topaz the sale of the Sanofi Load, which had been moved to Florida after the theft.

b. In or about October 2009, David Topaz arranged for the sale of the Sanofi Load to a buyer (hereinafter "the Buyer") for over \$1 million. Defendant LUIS ANDRES FAIFE-RUIZ, Cesar Pereira, David Topaz and A.R.P. further agreed to deliver the Sanofi Load to the Buyer in New Jersey.

c. On or about October 14, 2009, the Sanofi Load was driven from Florida to New Jersey by A.F. and A.B.F.

d. When A.F. and A.B.F. arrived in New Jersey, they met defendant LUIS ANDRES FAIFE-RUIZ and A.R.P. at a rest stop on the New Jersey Turnpike. A.F. and A.B.F. then followed defendant LUIS ANDRES FAIFE-RUIZ and A.R.P. to a location in North Bergen, New Jersey, where they met with R.S. R.S. then drove the Sanofi Load to another location so that the Buyer's representatives could inspect the stolen pharmaceutical drugs.

e. On or about October 14, 2009, it was further agreed that once the Buyer's representatives inspected the Sanofi Load, the Buyer would deliver the money to David Topaz, who would then give it to Cesar Pereira. Cesar Pereira instructed R.S. to maintain custody of the Sanofi Load until he informed R.S. that he had received the money from the Buyer.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO
(Receipt and Sale of Stolen Property)

1. The allegations set forth in paragraphs 1a and 6a through 6e of Count One of this Information are realleged and incorporated herein.

2. On or about October 14, 2009, in the District of New Jersey, and elsewhere, defendant

LUIS ANDRES FAIFE-RUIZ

knowingly received, possessed, concealed, stored, bartered, sold, and disposed of goods, wares, merchandise and securities having a value of \$5,000 or more, which crossed a State boundary after being stolen, unlawfully converted, and taken, knowing the same to have been stolen, unlawfully converted, and taken, in violation of Title 18, United States Code, Section 2315 and Section 2.

A TRUE BILL



PAUL J. FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER:

10-cr-72(WHW)

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District of New Jersey

UNITED STATES OF AMERICA

v.

LUIS ANDRES FAIFE-RUIZ

INDICTMENT FOR

18 U.S.C. §§ 371 & 2315

A True Bill,

Foreperson

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NEWARK, NEW JERSEY

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